

ARKANSAS REGISTER

Transmittal Sheet

Use only for **FINAL** and **EMERGENCY RULES**



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For Office

Use Only:

Effective Date _____ Code Number _____

Name of Agency _____

Department _____

Contact _____ E-mail _____ Phone _____

Statutory Authority for Promulgating Rules _____

Rule Title: _____

Intended Effective Date

(Check One)

Date

Emergency (ACA 25-15-204) Legal Notice Published _____

10 Days After Filing (ACA 25-15-204) Final Date for Public Comment _____

Other _____ Reviewed by Legislative Council _____
(Must be more than 10 days after filing date.)

Adopted by State Agency _____

Electronic Copy of Rule e-mailed from: (Required under ACA 25-15-218)

Contact Person

E-mail Address

Date

CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted
In Compliance with the Arkansas Administrative Act. (ACA 25-15-201 et. seq.)


Signature

Phone Number

E-mail Address

Title

Date

 <p style="text-align: center;">ADMINISTRATIVE RULES</p> <p style="text-align: center;">STATE OF ARKANSAS</p> <p style="text-align: center;">BOARD OF CORRECTIONS</p>	Section Number:	Page Number:
	831	1 of 2
	Board Approval Date:	
	09/24/2012	
	Supersedes:	Dated:
	831	5/17/90
	Reference:	Effective Date:
		10/04/2012
SUBJECT: Disciplinary Rules		

I. POLICY:

To ensure the orderly functioning of institutions and the safety of inmates and staff through the establishment and enforcement of rules governing inmate conduct.

II. GUIDELINES:

- A. Rules are established and approved by the Director of the Arkansas Department of Correction subject to review by the Board of Corrections.
- B. Rules and procedures are published to all staff and inmates through an *Inmate Discipline Manual* located in the law library, or otherwise available, in each facility. Rules are also made available to each inmate and staff member through the *Inmate Handbook*.
- C. Every member of staff; employees of the Arkansas Department of Correction School District and Riverside Vo-Tech; and authorized agents of the Arkansas Department of Correction, such as staff of the medical services contractor, contract mental health and substance abuse staff, are vested with the authority and responsibility to see that the rules are followed.
- D. Procedures are established in the *Inmate Discipline Manual* for notification of an alleged infraction and for fair and impartial determination as to fact and responsibility in a venue in which the charged inmate has the opportunity to present evidence, including witness statements. Should there be a demonstrable need, a counsel substitute and/or interpreter may be provided to ensure that the inmate fully understands the procedures.
- E. All steps in the procedures are to be carried out in a timely fashion as specified in the *Inmate Discipline Manual*.
- F. Ranges of penalties associated with findings of guilt, and interventions such as referral for treatment, are stated in association with each rule in the *Inmate Discipline Manual*. Generally, the severity of the penalty is correlated with the seriousness of the conduct and the frequency of repetition of rule infractions.

- G. All steps in the disciplinary process are to be properly documented. Hearings will be audio , or video recorded and records of disciplinary actions will be maintained in accordance with the Department's records retention schedule.
- H. An appeal process, as specified in the *Inmate Discipline Manual*, will allow the inmate to seek to correct errors in procedure or in findings of fact.
- I. The Administrator of Disciplinary Hearings is charged with the responsibility of training Disciplinary Hearing Officers and with monitoring adherence to procedure.

III. STANDARDS:

American Correctional Association; Standards for Adult Correctional Institutions,
Fourth Edition

AR831